G R S 58]

Previous references
LB 1-14 §§ 59, 70, 71 & 74 B July 1915—
1916.
(Mummerpalli)

File No 39-15

Serial Nos 14 & 15

Later references

GENERAL AND REVENUE SECRETARIAT

Serial No. 14 & 15

Part B for July 1916

SUBJECT.

Petition from Bodda Mallappa of Ramasamudra Village, Chamrajnagar Taluk complaining of the order conferring the post of the pound keeper of Ramasamudra Village on a convicted person in preference to himself who has been confirmed in the appointment by the Asst. Collr. vide

To Bodda Mallappa, Patel Ramasamudra village
Chamrajnagar Taluk

B° 207 & 10 7 16

Stating with reference to his petition, that Govt cannot interfere in his case, as an appeal from the order of the Asst Collr. does not lie to Government

W D 1561—G P B—20,000—15-12-15

2.8.16

G R S 11] 1915-16

GENERAL AND REVENUE SECRETARIAT

(Mad)

NOTES

File No 39 / 15

FILE HEADING

Petitions from the residents of municipalities

From Ramasamudra Village

Dodda Mallappa Gound Son of Siddaganggappa represented by Mr C Vedaja Rao Sahib Advocate Bangalore

No Petn. Dated 24-2-16 Received 8 3 16

Diary No 3265	Enclos	Spare Copies	Serial No 14

BRIEF ABSTRACT OF LETTER

Complains that the post of the pound Keeper of Ramasamudra Village included in Chamaraja nagar municipality has been conferred on a Convicted person pronounced unfit on previous occasion in preference to himself who has been confirmed in the appointment by the President DT&SD Mysore and praying that he may be reinstated -

NOTES AND ORDERS

In a ~~similar~~ parallel case the 2nd member was pleased to observe that there is no provision for an appeal to Govt from an order of a Dt Magistrate dismissing a pound Keeper

NOTES—First Sheet

GPB 20 000—8 8-14

(2

3

G R S 12]

General and Revenue Secretariat. | Jud File No 39 of 1915-16

Serial No

but had no objection to hear the appellant's advocate (Vide para 7 of the notes in L.R. file 1 of 1914-15 Page 5) In the present case the appellant desires to be heard in person or by his Counsel & accordingly a notice asking the appellant to plead his case be put up on the envelope issued to the effect that an appeal does not lie to Govt & in the former case a day for hearing has to be fixed.

References also invited to C.No 10184-99 L.R. 1-14-71 dated 15-6-1915 Ag E

KP 15/3/16

Drafted at A Hm 17/3

KP 17/3

L.R.

Draft Submitted for approval or otherwise

KP 17/3

Organisation 20/3

Be 2nd member 20/3 of Council)

Want the Rev Com" get your orders. I do not know in such cases the disposal of.

30/3

P.T.O

Note—Contin sheet

GPB—70,000—17 12 1.

G R S 12]

General and Revenue Secretariat | Jud File No 39 of 1915-16

Serial No

The powers of appointment of Inspectors & removal of Brothelkeepers Cafemen &c & Magistrates under Sec 6 of the Cattle Trespass Act were transferred to Revenue Board (under Sec 31) under Notfn of 15th Feb 14 (2). No appeal has been from the order passed by the President in the present case No process is ordinarily made for an appeal in such cases presumably because Govt did not see fit to interfere with the disciplinary powers regarding the Presidency Magistrates (1st Member) Govt can make rules thereon

5/7/16

6/7

5/7/16

6/7

130/57

Copy of Govt Memo dated 5/7/16 has been addressed to Govt Member

6/7/16

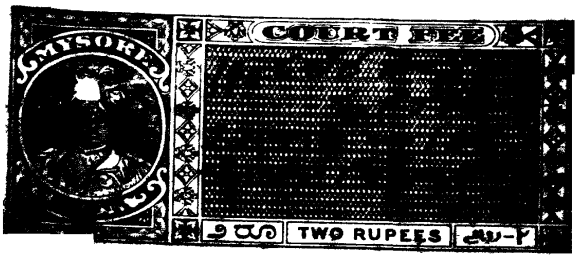
15. To Doddallappa, Patel Ramsamudra Village, Chaunaynagar Taluk

No 207 of 10/7/16

States, with reference to his appeal petition (G.O. 14) that Govt cannot interfere in his case as an appeal from the order of the President, Bd does not lie to Govt.

Jojk—( )n ahce

GPB 70 000—17 12 15



ARY No 4963.
19 -19
SECTION
FILE No
SERIAL

(4)

D 3265 15-14

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, BANGALORE

Revenue Mis Appeal No of 15-16

(Local Fund Branch)

Dodda Mallappa, grand son of Sidda-Gangappa, Municipal Patel, resident of Ramasamudra Village, Kasaba Hobli, Chamaraja Nagar Taluk, Mysore District — APPELLANT

The appellant abovenamed begs to submit as follows -

1 Ramasamudra Village was joined to the Municipal area of Chamaraja Nagar under the Provisions of the Municipal Regulation in or about 1909 and since then both Ramasamudra and Chamarajanagar are treated as one Municipal area having two separate Divisions

2 When the said village Ramasamudra was formed part of the Municipal Area of Chamaraja Nagar the appellant was appointed as a Municipal Patel to Ramasamudra Village on probation for a period of One Year by the District Board President of Mysore as per his order No 399/47 dated 10th August 1910, which was communicated by the Taluk authorities to the appellant in L F No 20 dated 21st August 1910

3 As the appellant discharged his duties to the entire satisfaction of his superiors the said appointment was confirmed by the District Board President of Mysore in his order No 751 dated 15th September 1911 which was communicated to the appellant through the Municipal Board

President of Nanjangud and Taluk Authorities by their orders Nos 33 dated 19th September 1911 and 144 dated 21st November 1911 respectively

4 While the matters stood thus, one Mallappa son of Channamallappa who was doing duty as Doddi Patel in Ramasamudra Village was convicted and sentenced by the Amildar Magistrate of Chamaraja Nagar Taluk on 3rd April 1911 and he was thereby dismissed by the Municipal Board President of Nanjangud in his order No 230 dated 4th April 1911 and the appellant according to the Municipal Procedure who was the Municipal Patel of Ramasamudra Village, was nominated as Doddi Patel of Ramasamudra as well

5 While the appellant was appointed as Municipal Patel in 1910, the then District Board President of Mysore had also recommended the appellant to be appointed as Doddi-Patel as well But the then Vice President wanted to try the appellant for a short period as a Municipal Patel and as he gets experience to nominate the appellant as Doddi-patel also

6 That as Mallappa who was doing duty as Doddi-patel having been found unfit and also criminally convicted and sentenced and finding that the appellant was discharging his duties to the entire satisfaction of his superiors and he being respectable and well connected person and fit and literate, he (the appellant) was appointed as Doddi-Patel as well, to the village of Ramasamudra by the Vice President of Chamaraja Nagar as per his order No 230 dated 4th April 1911 (wherein the Vice President states that the said Mallappa being convicted, the appellant to do the duty of Doddi Pately as well)

7 As per recommendation of the Vice President to the Municipal Board President of Nanjangud, who forwarded the same to the District Board President of Mysore the Appellant was confirmed by the District Board President of Mysore to do the duties of the Doddi Pately also as per order No 4485 dated 30th June 1911 which order was forwarded to the Municipal Board President of Nanjangud, who forwarded the same to the Vice President as per order No 4 dated 3rd July 1911, which was communicated to the appellant as per order No.143 dated 17/21-11-1911 Since then the appellant is discharging the Municipal and Doddi Patelships of the Village of Ramasamudra to the entire satisfaction of his superior authorities

8 When Mallappa was doing the duty of Doddi Pately in his tenor of office, he was found unfit as his character was not good and he was troublesome and quarrelsome and in the meanwhile he was convicted and sentenced on 3rd April 1911, in Criminal Case No 161 of 1910-11 on His file by the Amildar Magistrate of Chamaraja Nagar Taluk to two months simple imprisonment and to pay a fine of Rs 75/- and on appeal in Criminal Appeal No 102 of 10-11 on His file the District Magistrate of Mysore not only confirmed the sentence but also made a remark that the sentence would not have been severe, if rigorous imprisonment would have been awarded And again the said Mallappa was convicted and sentenced by the Amildar Magistrate of Gundalpet Taluk on 11th March 1912 in Criminal Case No 2 of 11-12 on his file to pay a fine af Rs 50/- in default to undergo 15 days' rigorous Imprisonment and as he was unable to pay the fine he has already undergone the imprisonment

9 The said Mallappa who was dismissed as stated above in 1911 and kept quite for a period of nearly 2 years

again seems to have petitioned to the Municipal Board President of Nanjangud who gave orders to the Vice President to the effect that the said Mallappa being a convicted person is not fit to discharge the duties of the Doddi-Pateliship as per his order No 756 dated 6th March 1915

10 Such being the case as the appellant learns that the very same Municipal Board President of Nanjangud is said to have passed an order No 214 dated 16th September 15 durecting the said Mallappa who was not new to the office and who had conducted himself very badly should be tried again on probation for a period of six months and to report as to how he discharges the duties Such as order is irregular and illegal for the following reasons -

a that the order confirming the Doddi-Pateliship on the appellant being passed by the District Board President of Mysore could not be cancelled by the aforesaid order of the Municipal Board President of Nanjangud,

b that the Municipal Board President has exceeded his jurisdiction in passing the said order,

c that the said order was exparte and unpeculiar called for under the circumstances of this case,

d under what circumstances the learned Municipal Board President of Nanjangud was moved to pass such an inconsistent and illegal order is beoynd the comperhension of the appellant,

e that though the Vice President has shown clearly that Mallappa's conduct was not good and that the said Mallappa wants to have the said appointment

barely for the sake of his livelihood and even though the very same Municipal Board President of Nanjangud rejected the said Mallappa as unfit, should have thought fit to recommend at this moment passes strange in the view of the appellant

11 That the appellant preferred an appeal against the said order of the Municipal Board President of Nanjangud to the District Board President of Mysore, who before the necessary records were called for and perused dismissed the appeal without giving notice to the appellant on the 1st February 1916 as per endorsement No 2219 herewith - filed

12 W H E R E F O R E the appellant most humble and respectfully prays -

(1) that all the records connected in this case may be called for and perused and that the appellant may kindly be given an opportunity to represent his grievances in persons or by his Counsel

(2) that the practice and procedure adopted in all the other Municipal areas such as Chamarajanagar, Malavalli, Nanjangud, T Narasipur and Gundalpet of joining both the Municipal and Doddi Patelships in one person, viz, the appellant be adopted for the village of Ramasamudra also, and

(3) that the irregular, inconsistent and illegal order passed in favour of the abovenamed Mallappa who is found to be unfit be set aside and the appellant be ordered to do the duties of both the Patelships in - Ramasamudra Village

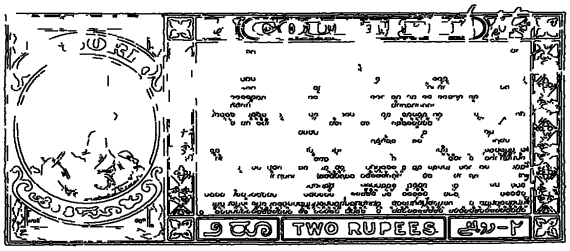
13 Pending the final disposal of this appeal the

execution of the order passed in favour of Mallappa

may kindly be stayed

Bangalore
29th February 1916

Advocate for Appellant.



Before the Councellors of Government of Mysore at Bangalore

~~IN THE COURT OF~~

Municipal Appeal NO of 1516

~~Plaintiff~~

Petitioner ~~or Appellant~~

Doddaveerappa

~~Defendant~~

Opponent ~~or Respondent~~

Veerappa

Vs

Date to Vak 29-5-16

Power of attorney executed by Petitioner Doddaveerappa

to

Mr C. Vedaji Rao Sahib, Advocate, Bangalore

the Petitioner aforenamed

I X hereby appoint Mr C Vedaji Rao Sahib, as my Advocate in person or by proxy, to appear in, and conduct for and on my behalf the above case, as well as any proceeding arising out of and connected with the same, and to do all lawful acts, such as, withdrawal, compromise, submission to arbitration, execution of documents &c, as he may deem necessary for the due conduct thereof

II And I further authorise the said advocate to apply for and obtain copies and return of document to execute the decree or order passed in my favour to bid for and purchase properties brought for sale, to receive and give valid receipts and discharges for, any money document or other moveable property, that is or may become payable or deliverable to me, in the course of the said case or proceeding

III I hereby agree and undertake to be bound by all such acts, and appearences as if done by myself in person

In witness wrereof I have hereunto set my hand this 29 th day of February 1916

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Accepted

Advocate

The above executant is personally known to me and has or have signed this in my presence

29/2/16

Advocate

The Irish Press Bangalore City

GRS 38]

Form D

No 20/ml29-15-15

GOVERNMENT OF H H THE MAHARAJA OF MYSORE

General and Revenue Secretariat

(Rev)

Dr Hally Mallappa, Patel, Ramasamudra village Chamarajanagar Taluk thro Dwn C Kedaji Rao Sahib, Advocate, Chickpet Bangalore City

Dated , the 10/7/ 1916.

Order on the petition, dated 29th Day of February 1916

Subject

Prayer for reinstatement as pannikeeper of Ramasamudra village in preference to Mallappa son of Chamamallappan

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The petitioner is informed (~~through the~~ that the Government of His Highness the Maharaja will not interfere with the order of the President Dist Board, Mysore as an appeal from his orders does not lie to Govt

The documents which accompanied the petition are returned herewith

By order

10/7/16

for Secretary to Govt

Rev Dept

MGCPB—2000—10-9-04